

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Kenneth B Evans, II*Petitioner*

v.

Warden Wallace*Respondent*)
)
)
)
)
)

Civil Action No. 2:21-cv-01973-HMH

JUDGMENT IN A CIVIL ACTIONThe court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the defendant *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____ recover costs from the plaintiff *(name)* _____.

☒ other: It is ORDERED that Evans' 2254 Petition, docket number [1,] is dismissed with prejudice. It is further ORDERED that a certificate of appealability is denied because Evans has failed to make a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2).

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Henry M Herlong, Jr, Senior United States District Judge, presiding. The Court having adopted the Report and Recommendation set forth by the Honorable Mary Gordon Baker, United States Magistrate Judge.

Date: April 29, 2022



ROBIN L. BLUME, CLERK OF COURT

s/A. Snipes

Signature of Clerk or Deputy Clerk